

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HOMESITE INSURANCE COMPANY OF
THE MIDWEST, a Wisconsin corporation,

Plaintiff,

V.

ROBERT HOWELL, JR., a single individual,
ROBIN HOWELL, a single individual, and
ROBERT HOWELL, SR., a single individual,

Defendants.

CASE NO. 2:21-cv-01389-JHC

ORDER

This matter comes before the Court on Defendants' motion for reconsideration. Dkt. #

“Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.” LCR 7(h)(1).

In their Third Motion for Partial Summary Judgment, Defendants asked the Court to award them reasonable attorney fees. Dkt. # 114 at 2. The Court denied the Defendants' motion for attorney fees *without prejudice* because the motion was premature. Dkt. # 128.

1 Without citing any authority, Defendants say that by denying Defendants' request for
2 attorney fees as "premature," the Court has essentially "undone" its prior Order determining that
3 Homesite owes the Howells a duty to defend. Dkt. # 129 at 3.

4 The Court reiterates that, as set forth in its December 29, 2023, Order, Homesite owes a
5 duty to defend the Howells in the Underlying Lawsuit. Dkt. # 113. The Court's June 6, 2024,
6 Order, Dkt. # 128, does not "undercut" or "undo" its December 29, 2023, Order granting in part
7 Defendants' Second Motion for Partial Summary Judgment as to the duty to defend, Dkt. # 113.

8 Dated this 9th day of July, 2024.

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10 John H. Chun
United States District Judge
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